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FISCAL IMPACT STATEMENT

LS 6922

BILL NUMBER: HB 1690

NOTE PREPARED: Jan 12, 2009

BILL AMENDED:

SUBJECT: CHINS, Sex Offender, and Child Molester Registry.

FIRST AUTHOR: Rep. Crouch

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- A. *Sex Offender, Violent Offender, or Child Molester Registry* – It requires a person who is convicted of child selling, neglect of a dependent, or battery upon a child to register as a sex offender, violent offender, or child molester. It renames the designation of "sex offender" to "sex offender or child molester" and renames the designation of "sex or violent offender" to "sex offender, violent offender, or child molester."
- B. *New CHINS Eligibility* – It provides that a child is a child in need of services (CHINS) if the child resides in Indiana and the child: (1) is found to be a CHINS in another jurisdiction; (2) commits an act in another jurisdiction that would make the child a CHINS if the act were committed in Indiana; and (3) is subject to acts or conditions in another jurisdiction in which the child would be considered a CHINS if the acts or conditions were to take place in Indiana.
- C. *Probation* – It allows a court to order a person to register as a sex offender, violent offender, or child molester as a condition of probation for not longer than five years.
- D. It makes conforming changes.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Sex Offender, Violent Offender, or Child Molester Registry*– It is not known how many new offenders this bill would add to the registry. During CY 2007, 102 offenders were committed to the Department of Correction (DOC) for child neglect offenses. Child selling is also included in this category. During CY 2007, 610 offenders who were older than 18 at the time of the offense were committed to DOC for battery, but no information is reported in DOC's data base on the age of the victims.

DOC reports that there would be some minor costs associated with renaming the website, editing the website's name, report names that are used for registration purposes, and modifying the reports to present this information on these new offender categories. The vendor who maintains the Sex Offender Website would make these changes.

CHINS Eligibility – This bill can increase the number of children who are considered CHINS in the state. Any increase in the number of CHINS may also increase the number of Guardian Ad Litem (GAL) and Court Appointed Special Advocates (CASA) that are assigned to CHINS determination hearings. Increases in the number of CHINS will also increase the caseload of juvenile courts with a subsequent increase in the number of CHINS cases heard.

The Division of State Court Administration currently provides state matching funds to counties that have appropriate GAL/CASA services. If this bill increases the number of CHINS, state expenditures for the GAL/CASA program will increase as well, subject to appropriations. Actual increases in state expenditures will depend on any change in CHINS numbers in a county.

Background Information: DCS funds programming and services for CHINS. CHINS programming and services are ordered by a judge during the CHINS determination and is normally an agreed-on recommendation made by both DCS and the CASA representing the child. DCS reports that the total CHINS cost in CY 2007 was approximately \$380 M.

Explanation of State Revenues:

Explanation of Local Expenditures: *Sex Offender, Violent Offender, or Child Molester Registry*– Local law enforcement agencies would be required to mail notifications to and personally visit these new offenders once each year. The added costs for local law enforcement agencies will depend on the number of offenders who are already required to register in the county and the number of available law enforcement and probation officers.

CHINS Eligibility – The Division of State Court Administration currently provides state matching funds to counties that have appropriate GAL/CASA services. Funding is administered based on the number of CHINS in a county. If this bill changes the number of CHINS, local revenue for the GAL/CASA program may change as well. Actual changes in local revenue are indeterminable, but expected to be small.

State Agencies Affected: DOC; DCS; Division of State Court Administration; GAL/CASA Program.

Local Agencies Affected: County GAL/CASA programs, local courts; local law enforcement agencies; probation departments.

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